IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 19599 of 2004

Between:

B. Srinivasa Rao S/o Venkateswarlu
district Woman & Child Development Agency, at Kakinada, E.G. District

..... PETITIONER

AND

1 Commissioner, Women and child welfare Department

Government of A.P., Vengalaraonagar, Hyderabad.
2 District Collector, East Godavari District at Kakinada.
3 Smt. Sitaramamma Transferred Project Director, District Woman

& Child Development Agency, Kakinada, R/o Kakinada, E.G.

District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other action of the respondents 1 and 2 in not taking steps to see that the charge is handed over to the petitioner herein as Project Director, District Women and Child Development Agency, at Kakinada in Pursuance of the orders of the 1st respondent in proceedings NO. 8228/E1/04, dt. 23-9-2004 as illegal, arbitrary and violative of the orders of the 1st respondent and for a consequential order directing the respondents 1 and 2 to take immediate steps against the 3rd respondent and to see that the charge is given by the 3rd respondent to the petitioner as project Director, District Women and Child Development Agency, Kakinada and to pass such other order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.CH.DHANAMJAYA

Counsel for the Respondent Nos.1&2: GP FOR WOMEN DEV. & CHILD WELFARE

The Court at the stage of admission, made the following :

-

ORAL ORDER

The petitioner is working as a Project Director in the respondent-Department. The first respondent issued proceedings dated 23-09-2004 transferring the petitioner from Nizamabad to Kakinada. He was directed to immediately handover the charge to the C.D.P.O, Nizamabad ® and reported at Kakinada immediately. The impugned order further discloses that the Project Director, Kakinada by name Smt.Seetharamamma was transferred to Nizamabad. The petitioner submits that after handing over the charge at Nizamabad, when he proceeded to Kakinada and requested Smt.Seetharamamma to handover the charge, she refused to handover the charge to him. There is no direction in the transfer order to the said Smt.Seetharamamma to handover the charge to her successor. Therefore, the petitioner approached this court thorough this writ petition seeking a direction to the respondent Nos.1 and 2 to take steps for the assumption of the charge of the petitioner as Project director at Kakinada. The learned counsel representing the respondent Nos.1 and 2 did not deny the transfer proceedings and there is no material placed to show whether there was any subsequent order passed superceding the order dated 23-09-2004. Therefore, it is for the first respondent to issue necessary instructions to the incumbent officer at Kakinada to handover the charge to the petitioner for due implementation of the transfer orders issued by him. But, the first respondent appears to have not taken any steps in this direction after receipt of a letter of the petitioner dated 02-10-2004.

The first respondent is, therefore, directed to issue expeditious orders for the due implementation of the transfer orders dated 23-09-2004, so long as those orders are in force. Further, the first respondent is directed to set at rest the suspended

animated position of the petitioner who is in air after relief from the post of Project Director, Nizamabad.

With the above said observation, the writ petition is disposed of. No order as to costs.

_____ Dr.G.YETHIRAJULU, J.

Dated: 27th October, 2004.

*TSNR

TO

1 The Commissioner, Women and child welfare Department

Government of A.P., Vengalaraonagar, Hyderabad.
2 The District Collector, East Godavari District at Kakinada.
3 **Two C.Cs to GP FOR WOMEN DEV. & CHILD WELFARE,High Court Buildings, High Court of A.P.,Hyderabad(OUT).**

4. Two C.D.Copies.